

CUSTOMER NO.: 24498  
Serial No. 09/029,807  
Office Action dated: February 10, 2006  
Response dated: May 10, 2006

PATENT  
RCA 88,391

### **REMARKS**

Claims 1- 3 and 11-13 are pending. Claims 4- 10 have been withdrawn from consideration.

Claims 1-3 and 11-13 are amended.

### **Rejection of Claims 1-3 and 11-13 under 35 U.S.C. 102(e)**

#### **(a) Claims 1-3**

Claims 1-3 remain rejected under 35 U.S.C. 102(e) as being anticipated by US 5,701, 385. ("Katsuyama"). Applicants respectfully disagree. The Office Action states that in FIGs. 29 and 31, Katsuyama teaches displaying messages "DISC ERROR," "NO DISC," "PBC" and the double arrow indicating a fast forward operation mode, and concludes that Katsuyama teaches the feature of inserting a status message indicative of an operating mode of the digital recording and replay apparatus to a video signal decoded from an output bit stream reproduced from a video representative digital signal stored on a recorded medium. However, in the case of a disc error or no disc present, no video bit stream has been decoded, and, thus, no insertion of the status message to a decoded video signal. In the other two cases, although the message "PBC" and the double arrow may respectively indicate that the system is in PBC and fast forward modes, the decoded video signal as recited in claim 1 is not present, and, thus, the system disclosed in Katsuyama cannot insert a status message into a decoded video signal, as recited in claim 1. The recited decoded video signal is not present in the system disclosed by Katsuyama because claim 1 requires that the decoded video signal is a signal decoded from a video representative digital signal stored in a recorded medium, but the video representative digital signal read from disc 1 in the system disclosed in Katsuyama is not completely decoded. As stated in Katsuyama, only I frames in the video representative digital signal read from disk 1 are passed to the decoder; other frames are skipped. See, for example, col. 29, lines 19-28. For the sake of argument, even interpreting the decoded

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video signal in Katsuyama as the decoded video signal recited in claim 1, the status message signal (the double arrow or "PBC") is not inserted into the decoded video signal because, as shown in FIGs. 31A-31H and col. 29, lines 39-52, the decoded video signal is confined in a display area AR1 but the double arrow and "PBC" are displayed outside the display area AR1. Thus, the alleged status message is not inserted into the decoded video signal and, therefore, Katsuyama does not anticipate claim 1.

However, in the interest of advancing the prosecution, applicants have amended claim 1 to more particularly point out and distinctly claim the subject matter that applicants regard as the invention and submit that claims 1-3 are patentable over Katsuyama. for the reasons discussed below.

Amended claim 1 recites a digital recording and replay apparatus comprising:

*means for processing a compressed digital video representative digital signal stored on a recording medium to produce a compressed digital video signal bit stream;*

*means for generating a mode status data tag signal indicative of an operating mode of the digital recording and replay apparatus; and*

*output means for outputting the compressed digital video signal bit stream and the mode status data tag signal, wherein a receiver receives the compressed digital video signal bit stream and the mode status data tag signal, decodes the compressed video signal bit stream to produce a decoded video signal, interprets the mode status data tag signal to select a stored signal representing the operating mode indicated in the mode status data tag signal, and combines the decoded video signal and the selected stored signal. (Emphasis added)*

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Amended claims 2 and 3 further define the mode status data signal. Support of these features can be found, for example, on FIG. 2 and at page 12, lines 9-29. Since Katsuyama does not disclose or suggest a digital recording and replay apparatus outputting a compressed digital video signal bit stream and a mode status data tag signal to a receiver, and a receiver decoding the compressed digital video signal bit stream, interpreting the mode status data tag signal to select a stored signal representing the operating mode indicated in the mode status data tag signal, and combining the decoded video signal and the selected stored signal, applicants submit that amended claim 1, and dependent claims 2 and 3, are patentable over Katsuyama.

Claims 11-13 are amended similarly to claims 1-3, and applicants submit that claims 11-13 are patentable over Katsuyama for similar reasons discussed above with respect to amended claim 1.

Applicants respectfully submit, in view of the above amendments and arguments, that the present claimed invention is patentable.

No additional fee is believed due with this response. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date

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Patricia M. Fedorowycz